



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

One Stop Shop Zoning Report Date: Thu Dec 3 2015

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 40 W 3RD AVE COLUMBUS, OH 43201

Mailing Address: 600 STONEHENGE PKWY FL 2
DUBLIN OH 43017-6026

Owner: 40 WEST LLC

Parcel Number: 010023151

ZONING INFORMATION

Zoning: Z14-018, Multi-family, ARO
effective 7/23/2014, Height District H-35

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: N/A

Planning Overlay: N/A

Historic District: Victorian Village

Historic Site: No

Council Variance: CV14-019

Flood Zone: OUT

Airport Overlay Environs: N/A

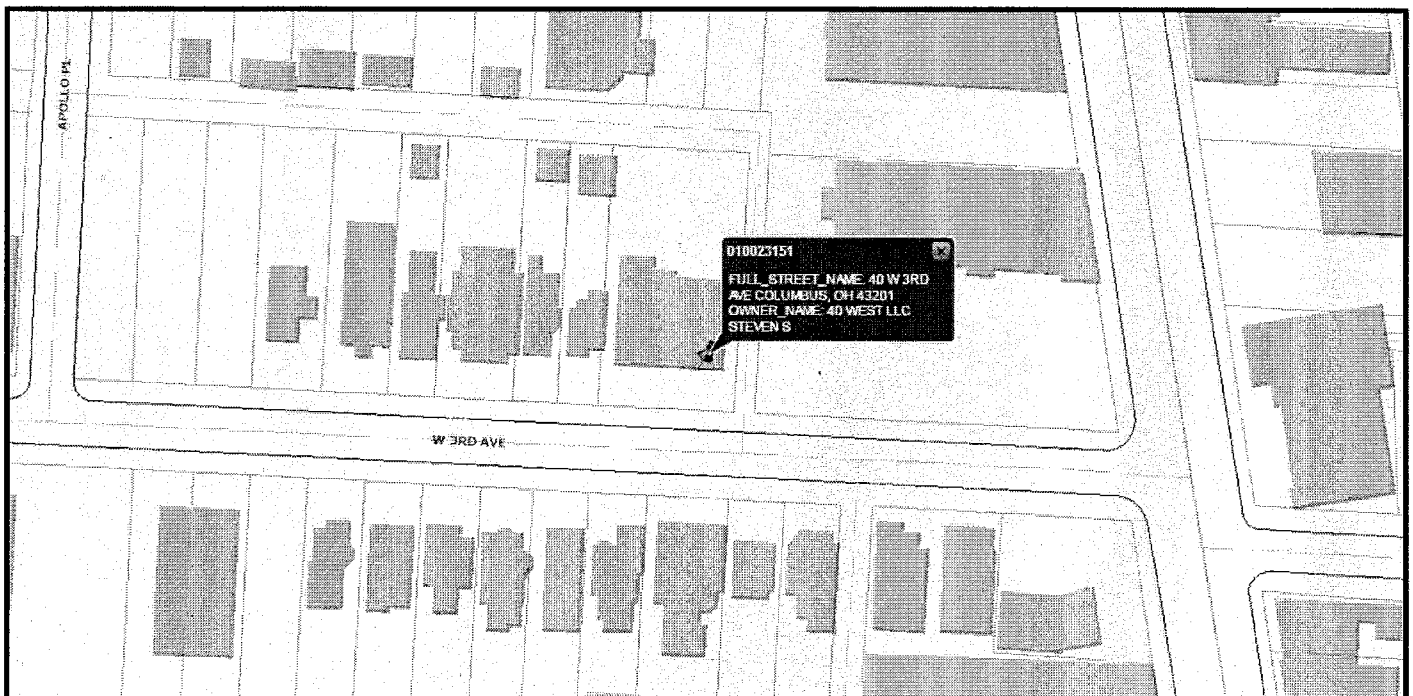
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A



40 WEST THIRD AVE.
Board of Zoning Adjustment Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

BZA15-129

OFFICE USE ONLY

Application Number: BZA15-129 Date Received: 17 NOV. 2015
Application Accepted by: [Signature] Fee: \$1900-
Commission/Civic: _____
Existing Zoning: _____
Comments: _____

TYPE(S) OF ACTION REQUESTED (Check all that apply):

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:

3312.49 Minimum Number of Parking Spaces From: TB: 29-22

LOCATION

Certified Address: 40 W. 3RD Avenue City: Columbus Zip: 43201

Parcel Number (only one required): 010-023151

APPLICANT (If different from Owner):

Applicant Name: Connie J. Klema, Attorney Phone Number: 614 374 8488 Ext.: N/A

Address: P.O. Box 991 City/State: PATASKALA OH Zip: 43062

Email Address: cklemaattorney@gmail.com Fax Number: N/A

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: 40 West, LLC Phone Number: 614 264 5044 Ext.: N/A

Address: 600 Stonehenge Pkwy 2nd Fl. City/State: DUBLIN OH Zip: 43017

Email Address: Jeff. BAUR @ BORRORPROPERTIES.COM Fax Number: N/A

ATTORNEY / AGENT (Check one if applicable): ☒ Attorney ☐ Agent

Name: Connie J. Klema, Attorney Phone Number: 614 374 8488 Ext.: _____

Address: P.O. Box 991 City/State: PATASKALA OH Zip: 43062

Email Address: cklemaattorney@gmail.com Fax Number: _____

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE Connie J. Klema, Attorney

PROPERTY OWNER SIGNATURE Connie J. Klema on behalf of 40 West, LLC

ATTORNEY / AGENT SIGNATURE Connie J. Klema attorney

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Connie J. KLEMA, ATTORNEY
of (1) MAILING ADDRESS P.O. Box 991 PATASKALA OH 43062

deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the name(s) and mailing address(es) of all the owners of record of the property located at

(2) per ADDRESS CARD FOR PROPERTY 40 W. 3RD. AVENUE Cols OH 43201

for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) ~~40 W. 3RD. AVENUE LLC~~ 40 WEST, LLC
600 STONEHENGE PKWY 2ND FL
DUBLIN, OH 43017

APPLICANT'S NAME AND PHONE #
(same as listed on front application)

Connie J. KLEMA ATTORNEY
614 374 8488

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS

(5) VICTORIAN VILLAGE COMMISSION
JAMES GOODMAN
50 W. GAY ST. 4TH Floor Cols 43215

and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER NAME	(6a) PROPERTY ADDRESS	(6b) PROPERTY OWNER MAILING ADDRESS
<u>(SEE ATTACHED)</u>		

☐ (7) Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

Connie J. KLEMA

Sworn to before me and signed in my presence this 17th day of November, in the year 2015

(8) SIGNATURE OF NOTARY PUBLIC

Marcy D. Green



MARCY D. GREEN
My Commission Expires
02-29-2020

Notary Seal Here

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STATEMENT OF HARDSHIP

APPLICATION #

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.
 2. The special circumstances or conditions are not the result of the actions of the property owner or applicant.
 3. The special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 4. The grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

(See ATTACHED)

Signature of Applicant

Connie J. Klema

Date

11/16/15

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STATEMENT OF HARDSHIP

40 WEST THIRD AVENUE, COLUMBUS, OHIO

In 2014 Columbus City Council approved the rezoning of the subject property at 40 West Third Avenue ("Property") to "ARO" (Apartment-Office District) with area variances that permit construction of a sixteen (16) unit apartment building and 3400 square feet of an existing building to be used for office purposes. The rezoning/variance approval included a parking variance that reduced the parking requirement of twelve (12) spaces for the office and twenty-four (24) spaces for the 16 dwelling units (being a total requirement of 36 parking spaces), to twenty-two (22) spaces.

The owner of the Property wishes to use the 3400 square feet of the existing building for three (3) residential dwelling units instead of office. The ARO district permits the residential dwelling use. However, because the parking variance approved by Columbus City Council was conditioned on the office and residential uses described above, the owner is required to amend its parking variance for the proposed use which requires less parking: 19 residential dwelling units.

The amended proposal for 19 residential units decreases the parking requirement from the prior plan/approval by seven (7) spaces from 36 to 29 required spaces.

The reduction of the required parking spaces for residential dwelling units as opposed to office uses will not be injurious to neighboring properties and will not be contrary to the public interest or intent and purpose of the zoning code.

LIST OF VARIANCES

40 WEST THIRD AVENUE, COLUMBUS, OHIO

Variance:

3312.49 Minimum Number of Parking Spaces Required: To reduce the number of parking spaces required for nineteen (19) apartment units from twenty-nine (29) to twenty-two (22).



CLARENCE E MINGO II

FRANKLIN COUNTY AUDITOR

MAP ID: S DATE: 11/18/15




Disclaimer

Scale = 100


Grid North

This map is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this map are notified that the public primary information sources should be consulted for verification of the information contained on this map. The county and the mapping companies assume no legal responsibilities for the information contained on this map. Please notify the Franklin County GIS Division of any discrepancies.

Real Estate / GIS Department



BORROR
PROPERTIES



AMERICAN
STRUCTUREPOINT
INC.

2580 Corporate Center Dr., Suite 200, Columbus, Ohio 43221
Tel: 614.941.2222 Fax: 614.941.2200
www.structurepoint.com

ZONING SITE PLAN

FOR
40 & 42 W. 3RD
AVENUE
COLUMBUS, OHIO

CERTIFIED BY _____

DATE: 11/17/2015	ISSUANCE INDEX
SCALE: 1"=10'	

NO.	REVISION SCHEDULE
DESCRIPTION	DATE

Project Number 2014.00095

C001

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Connie J. KLEMA, ATTORNEY
of (COMPLETE ADDRESS) P.O. Box 991 PATASKALA OH 43062
deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following
is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of
this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

40 WEST, LLC 600 STONEHENGE PKWY 2ND FLOOR DUBLIN OH 43017
↳ OWNED By: SND PARTNERS, LLC - SOLE MEMBER
↳ CONTROLLED Douglas G BORROR - MEMBER
LORI BETH M. STEINER - MEMBER

SIGNATURE OF AFFIANT

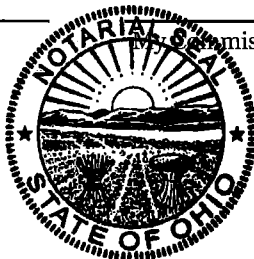
Connie J. Klem

Sworn to before me and signed in my presence this 17th day of November, in the year 2015

SIGNATURE OF NOTARY PUBLIC

Marcy D. Green

Notary Seal Here



My Commission Expires
MARCY D. GREEN
Notary Public, State of Ohio
My Commission Expires
02-29-2020